

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARU DESAI,	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 4:19-cv-10520-TSH
	)	
UNIVERSITY OF MASSACHUSETTS,	)	
MEMORIAL MEDICAL CENTER, INC.	)	
UNIVERSITY OF MASSACHUSETTS	)	
MEMORIAL MEDICAL GROUP,	)	
UNIVERSITY OF MASSACHUSETTS	)	
MEDICAL SCHOOL, UMASS	)	
MEMORIAL HOSPITAL, MAX ROSEN,	)	
M.D., DARREN BRENNAN, M.D.,	)	
STEPHEN TOSI, M.D., KARIN DILL,	)	
M.D.,	)	
Defendants.	)	

**AFFIDAVIT OF MARK A. JOHNSON, ESQ. IN SUPPORT OF**  
**UNIVERSITY OF MASSACHUSETTS CHAN MEDICAL SCHOOL'S**  
**MOTION FOR SUMMARY JUDGMENT AND FOR DISMISSAL OF**  
**CERTAIN CLAIMS IN ACCORD WITH RULE 12(B)(1)**

I, Mark A. Johnson, Esq., hereby depose and say the following based on personal knowledge:

1. I am an attorney and was admitted to practice in the Commonwealth in 2002.
2. I represent defendant University of Massachusetts Chan Medical School ("Medical School") in the above-captioned matter.
3. I attest that the following Exhibits, which are filed herewith, contain true and accurate copies of the documents referenced therein:

4. **Exhibit 1** is a true and accurate copy of excerpts of the Medical School's Answers to plaintiff Dr. Charu Desai's First Set of Interrogatories.
5. **Exhibit 2** is a true and accurate copy of the Amended Complaint (Dkt. 23).
6. **Exhibit 3** is a true and accurate copy of the Medical School's Answer to the Amended Complaint (Dkt. 32).
7. **Exhibit 4** is a true and accurate copy of excerpts of the Deposition of Dr. Desai.
8. **Exhibit 5** is a true and accurate copy of an Agreement between Dr. Desai and the UMass Memorial Medical Group, Inc. ("Medical Group").
9. **Exhibit 6** is a true and accurate copy of the Medical School's Academic Personnel Policy.
10. **Exhibit 7** is a true and accurate copy of excerpts of the Deposition of Dr. Max Rosen.
11. **Exhibit 8** is a true and accurate copy of the Academic and Administrative Time Policy.
12. **Exhibit 9** is a true and accurate copy of excerpts of Dr. Desai's Answers to defendant University of Massachusetts, Memorial Medical Center, Inc.'s First Set of Interrogatories.
13. **Exhibit 10** is a true and accurate copy of the Answer to the Amended Complaint filed by all defendants other than the Medical School (Dkt. 24).

14. **Exhibit 11** is a true and accurate copy of excerpts of the Medical Group's Answers to Dr. Desai's First Set of Interrogatories.

15. **Exhibit 12** is a true and accurate copy of excerpts of Dr. Rosen's Answers to Dr. Desai's First Set of Interrogatories.

16. **Exhibit 13** is a true and accurate copy of a letter from Dr. Rosen and Dr. Stephen Tosi to Dr. Desai dated March 9, 2018

Signed under the pains and penalties of perjury this 17th day of December, 2021,



Mark A. Johnson, Esq.

#### **CERTIFICATE OF SERVICE**

I hereby certify that I served a true copy of the above document on all counsel of record by the Electronic Court Filing System (ECF) of the United States District Court for the District of Massachusetts.

/s/ Mark A. Johnson  
Mark A. Johnson